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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,846	03/16/2001	Masahide Tsukamoto	10873.675US01	7077

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EXAMINER

NORRIS, JEREMY C

ART UNIT PAPER NUMBER

2827

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,846

Applicant(s)

TSUKAMOTO ET AL.

Examiner

Jeremy C. Norris

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-23 and 26-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-23 and 26-33 is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-19, 34 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 09 September 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-7, 9-19, 34, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Maruyama et al (US 6,323,440).

Maruyama et al (hereafter Maruyama) disclose, referring to figures 9a-c and 15, a fixture, comprising: a base (43) with an opening in its center portion; a movable pawl (60, 61) provided on the base for fixing an electronic component (62); and at least one pair of positioning walls for positioning the electronic component by being brought into contact with a top face of the electronic component, wherein the at least one pair of positioning walls are inner wall faces of the base [claim 1], wherein the movable pawl is supported by the base through a thin-wall part having a relatively thin wall thickness so as to be in an elastically displaceable state [claim 2], wherein a wall thickness of the base is thicker than that of the thin-wall part [claim 3], wherein the thin-wall part has across-sectional shape bent or curved in a substantially C-, J-, or V-shaped form [claim 4], wherein the base has a substantially rectangular frame-like planar shape with an

opening in its center portion [claim 5], wherein the movable pawl is formed at least on one side of four sides excluding four corners [claim 6], wherein a slope with its lower end located on a side of the opening is formed on an upper portion of the movable pawl [claim 7], wherein an end face of the movable pawl functions as the at least one pair of positioning walls [claim 9], wherein the movable pawl and the at least one pair of positioning walls are formed of an insulating material [claim 10], wherein the base, the movable pawl, and the at least one pair of positioning walls are formed integrally using the same material [claim 11], wherein the movable pawl has a flat surface (see figure 17) facing downward, the flat surface being brought into contact with the top face of the electronic component [claim 34]

Additionally, Maruyama discloses, a circuit board with a fixture, comprising; a fixture mounted on a circuit board, for placing an electronic component; and electrodes (16) formed on the circuit board with the fixture, wherein the fixture comprises a movable pawl (60, 61) for fixing an electronic component (62) by being brought into contact with a top face of the electronic component and at least one pair of positioning walls for positioning an electronic component, the at least one pair of positioning walls are inner wall faces of the fixture, and the electrodes are exposed between the at least one pair of positioning walls [claim 12], wherein the movable pawl is supported through a thin-wall part having a relatively thin wall thickness so as to be in an elastically displaceable state [claim 13], wherein the fixture is fixed to the circuit board by adhering thereto by its bottom face, and a wall thickness of the fixture at the bottom face is thicker than that of the thin-wall part [claim 14], wherein the thin-wall part has a cross-

sectional shape bent or curved in a substantially C-, J-, or V-shaped form [claim 15], wherein the fixture has a substantially rectangular frame-like planar shape with an opening in its center portion [claim 16], wherein the movable pawl is formed at least on one side of four sides excluding four corners [claim 17], wherein a slope with its lower end located on a side where the electronic component is positioned is formed on an upper portion of the movable pawl [claim 18], wherein the circuit board with a fixture has a first surface provided with the fixture and the electrodes and a second surface opposite to the first surface, and electrodes connected to the electrodes formed on the first surface are formed on the second surface (see figure 13) [claim 19], wherein the movable pawl has a flat surface (see figure 17) facing downward, the flat surface being brought into contact with the top face of the electronic component [claim 35]

Response to Arguments

Applicant's arguments filed 9 September 2002 have been fully considered but they are not persuasive. Applicant's arguments hinge on the assertion that Maruyama does not disclose "a movable pawl that fixes an electronic component by contacting a top face of the electronic component". Examiner stipulates that this feature is lacking from figures 9a-c which Examiner specifically referred to in the Office Action of Paper No 6. However, the Maruyama reference *as a whole* does indeed disclose this limitation, in conjunction with the other claimed features as shown in figure 15 of Maruyama and described above. Therefore, the traversal on this grounds is deemed unsuccessful.

Allowable Subject Matter

Claims 20-23 and 26-33 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,441,485, granted to Glenn.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy C. Norris whose telephone number is 703-306-5737. The examiner can normally be reached on Mon.-Th., 9AM - 6:30 PM and alt. Fri. 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on 703-305-9883. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-308-0725 for regular communications and 703-308-0725 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

JCSN
November 27, 2002



DAVID L. TALBOTT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800